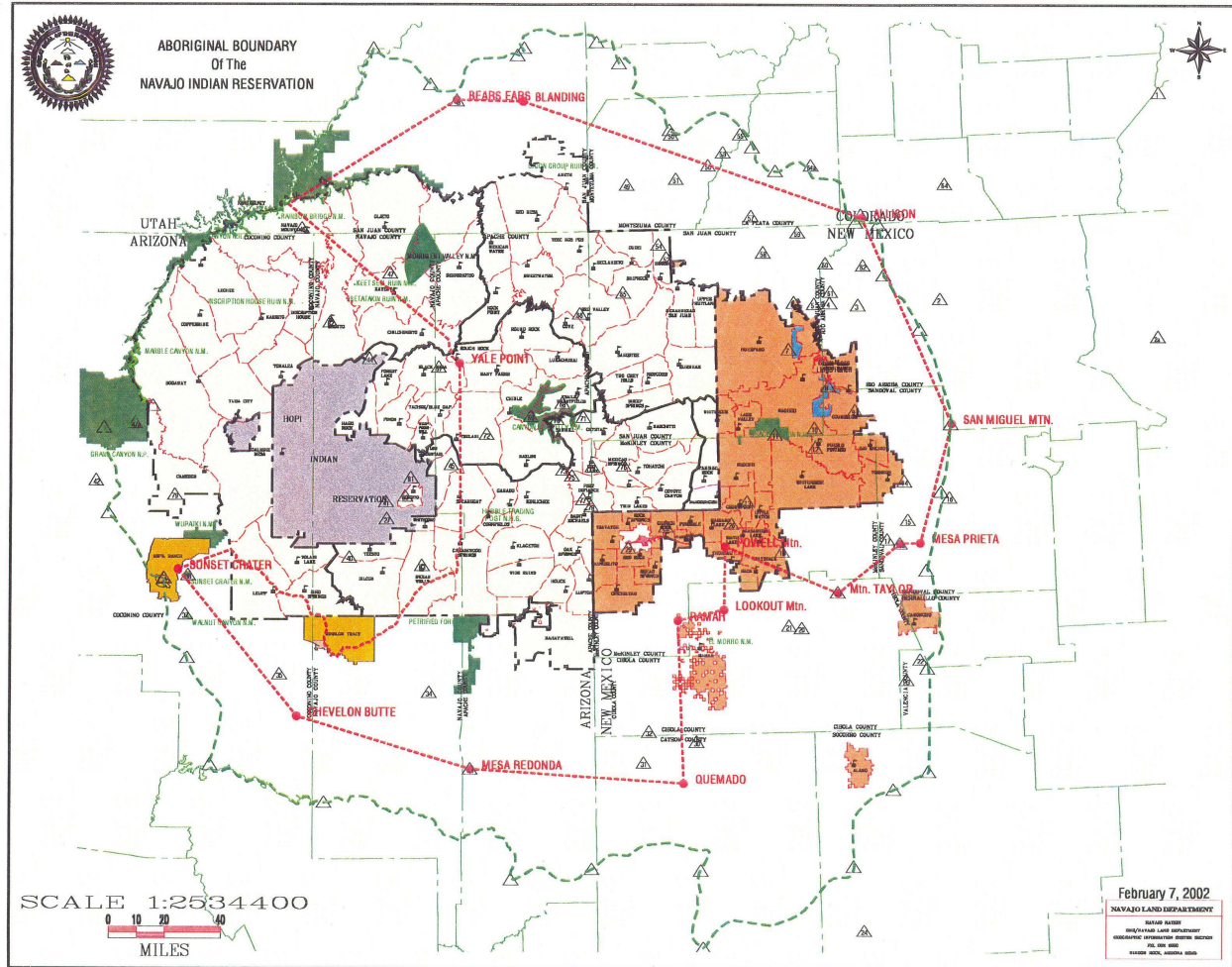


Significant Traditional Cultural Properties of the Navajo People



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Dedication

To Patsy Ann Dehiya, late Navajo Cultural Specialist with the NNHPD Roads Program, who always encouraged us to continue preserving and protecting traditional cultural properties for the Navajo people.

I. Introduction

In pursuing economic and social development, the Navajo Nation has looked closely at its resources to increase its economic base. As a result, the Navajo Nation has extracted resources and developed its lands to address the needs of the Navajo people. Consequently, more and more cultural resources are being impacted by the growth of the Navajo Nation. It is the responsibility of the Navajo People, the Navajo Nation, the Navajo Nation Historic Preservation Department (NNHPD), and developers to ensure cultural resources such as Traditional Cultural Properties (TCPs) are consistently protected in accordance with traditional Navajo cultural values and existing federal and Navajo Nation legislation and regulations.

This document was created to provide a better understanding of cultural resources that are on Navajo Nation lands. It attempts to outline what traditional cultural properties are, as defined by the federal government and the Navajo Nation Cultural Resources Protection Act (CMY-19-88). Examples and images of Navajo TCPs are included.

According to the “Guidelines for Evaluating and Documenting Traditional Cultural Properties,” there are many definitions of the word “culture.” *National Register Bulletin 38* defines the word “culture” to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or people of the nation as a whole (Parker and King 1990:1). Consequently, TCPs are generally defined as property that has a *traditional cultural significance* where “traditional” refers to beliefs, customs, and practices of a living community of a people that have been passed down through the generations. The role of the property is derived from its significance and its part in a history that is embedded in the beliefs, customs, and cultural practices of a community or people (Parker and King 1990:1). The Navajo Nation Policy to Protect Traditional Cultural Properties (see Appendix) is consistent with the federal definition of TCPs. It attempts to show how a Navajo sees “cultural resources.” According to the Navajo Nation Cultural Resources Protection Act (CMY-19-88), cultural resources are any product of human activity, or any object or place given significance by human action or belief.

Existing federal, state, and tribal laws; executive orders; and policies to protect archaeological sites, historic properties, and graves include the Federal Antiquities Act of 1906 (P.L. 59-209); the National Historic Preservation Act (P.L. 89-665); the National Environmental Policy Act of 1969 (P.L. 91-190), Executive Order 11593, “Protection and Enhancement of the Cultural Environment,” May 13, 1971 (36 CFR. 8921); the Archaeological Resources Protection Act of 1978 (P.L. 95-960); the American Indian Religious Freedom Act of 1978, (P.L. 95-341); the Native American Graves Protection and Repatriation Act (1990); Utah, New Mexico, and Arizona laws protecting human remains on private lands; the Navajo Nation Policy for the Protection of Jishcháá’: Gravesites, Human Remains, and Funerary Items; and the Navajo Nation Cultural Resources Protection Act (CMY-19-88), and NNHPD’s Guidelines for Evaluating and Documenting Traditional Cultural Properties (see Appendix).

Traditional cultural properties are considered eligible for inclusion in the National Register of Historic Places and protected under the National Historic Preservation Act, even when they lack clear evidence of human use. Such places are not likely to be detected by conventional surveys but through ethnographic research.

The Navajo Nation land base embraces countless years of natural processes. Just as the land endures change, so do the Navajo people, who have also persevered as they live on and use their land for survival, ceremonies, and cultural stability.

II. What are Traditional Cultural Properties?

Again, these places may or may not exhibit evidence of human activity and may simply be embedded in the landscape. The hundreds of TCPs that dot Navajoland include the following. However, not all landscape features are considered TCPs.

Navajo traditional cultural properties without clear evidence of human use include the following:

Plants for medicine, food, and utilitarian items	ch'il/azee', ch'iiaán, ch'il chidao'ínígíí
Minerals	ts é nihokáá'góó dóó łeeyi'góó hólónígíí
Places identified as homes of Dieties such as	
Wind	níłch'i dine'é nídadildahgóó
Lightning	ii'ni' bikék'eh nahaz'ágóó
Big Snake	tł'iishtsoh kée dahat'ígóó
Location of echoes	nidahosilts'a'góó
Talking Rocks, which convey human words to the Dieties	tséyáłti' dahólóógóó
Natural discolorations of rocks which have supernatural powers	tsé ał'aan ánída'doolniilgóó
Places where an apparition or other supernatural event occurred	diyini dine'é ádaát'iid bee éédahózin nahaz'ágóó
Places that have played a part in the life-cycle of individuals (such as where a newborn's umbilical cord is placed)	diné bighan binaagóó yaah hááh danízingóó, awéé' bits'ée' nooh daashchíígóó

Many of these places are natural landscapes such as:

Mountains	dziłgóó
Hills	dah daask'idgóó
Rock outcrops	tsé hadaazt'i'góó, dadeez'ágóó
Springs	tó daníłígóó, hádaasts'a'góó
Individual trees	tsin adaaz'ágóó
Mountain tops	dził látaahgóó
High points	aghá dahaz'ágóó
Natural ponds/lakes	tó dah naazyíígóó, be'ek'id néikaahgóó

Archaeological sites maybe considered Navajo Traditional Cultural Properties (TCPs) depending on which hataalii one consults with. These TCPs include sites that may have been blessed or where ceremonies (náadahaghaahgóó) may have occurred. These can be associated with the following type of sites:

Hogans	hooghank'ehgóó
Houses	kink'ehgóó
Sweathouses	táchééhk'ehgóó
Game corrals	niidzíłh naaznilgóó
Eagle traps	ood naaznilgóó
Trail shrines	tsé ninádaajihgóó
Rock art	tsék'i nida'ashch'aa'góó

Finally, defining TCPs and their significance depends on the community and its perspective. For example, the six Navajo sacred mountains (dził dadiyin naaznilgóó) are considered to be TCPs for all Navajos whereas an individual offering site may only be significant to an individual, clan,

family, community, or ceremony. The following examples of TCPs are provided to help guide you in identifying TCPs in your community.

III. Sacred Mountains and Rivers

The sacred mountains are the boundaries of Navajoland. The four mountains are located in the four cardinal directions, with two additional mountains toward the east symbolizing the entrance to Navajoland. The east (ha'a'aah) mountain is Sisnaajiní - Blanca Peak near Alamosa, Colorado; the southern (shádi'ááh) mountain is Tsoodzil - Mt. Taylor by Grants, New Mexico; the west (e'e'aah) mountain is Dook'o'oshlíd - San Francisco Peaks near Flagstaff, Arizona; and the northern (náhookos) mountain is Dibé Ntsaa - Mount Hesperus, near Durango, Colorado.



Mt. Hesperus (North)
Dibé Ntsaa



The San Francisco Peaks (West)
Dook'o'oshlíd



Blanca Peak (East)
Sisnaajiní



Mt. Taylor (South)
Tsoodzil

The mountains referred to as the doorway (ch'é'étiin silá) are Dził ná'oodilii - Mt. Huerfano - and Ch'ool'í'í - Gobernador Knob - both located in northeastern New Mexico.



Mt. Huerfano (Southeastern)
Dził ná'oodiíi



Gobernador Knob (Northeastern)
Ch'óol'í'í

Likewise, there are four rivers that bound the Navajo land in the cardinal directions. They are the Rio Grande to the east, the Little Colorado River to the south, the Green/Colorado rivers in the west, and the San Juan to the north. Traditional Navajos and Hataahí make offerings to both the mountains and rivers for the well-being of the Navajo People. The six sacred mountains and the four rivers are revered and are significant to all Navajos and in all Navajo ceremonies.



San Juan River (North)
Bits'íís Doo ninít'i'í



Rio Grande (East)
Tooh



Green/Colorado River (West)
Tooh



Little Colorado River (South)
Bits'íís Nineez

IV. Offering/Sacred Sites/Landscapes

Another TCP category is offering places (nááda'iinihgóó), sacred sites (dahodiyíngóó), and landscapes (kéyah binahji' éédahózingóó). This category consists of numerous places that may look insignificant to outsiders but are very important to the Navajo people. Traditional Navajo people still make offerings to places such as windswept earth (hadahwiiyoolgóó), springs, rivers/lakes (tó danííí/dah naazyííhgóó), plant gathering areas (ch'il/azee' ánídaal'ííhgóó), and canyons (tséyi'góó). Mountain ranges, both within and outside the Navajo Nation, are also significant in ceremonial and oral histories. Most mountains (dził) are referred to as either male (bika') or female (bi'áádii). The male mountain usually exhibits masculinity/roughness while the female mountain symbolizes feminine, smooth/soft attributes. As a result, the wildlife, plants, minerals, and other resources found on these mountains employ the gender of the mountain. Landscapes both prominent and minor have embedded Navajo histories much like Place of the Sun (Jóhonaa'ée si'ání), which is associated with Navajo traditional history that mentions the Sun-Bearer and Changing Woman. All these TCPs are significant to Navajos in general, in ceremonies, and to communities, individuals and families. The following are examples of Sacred/Offering places and Landscapes.



Dancing Rocks, Rock Point
Tsé ahíł halne'ée



Falling Irons Cliff, Wheatfields
Béesh Nahałdaas



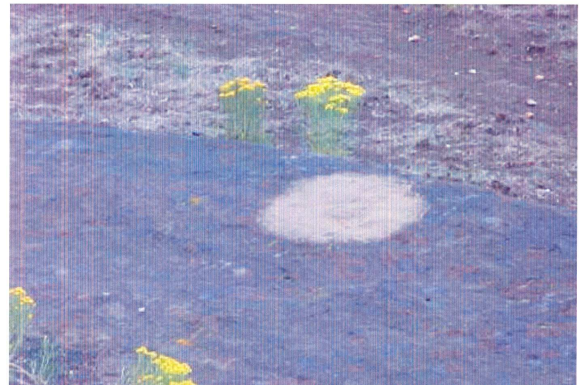
Green Knobs, Red Lake, NM
Tsézhin hodootł'izh



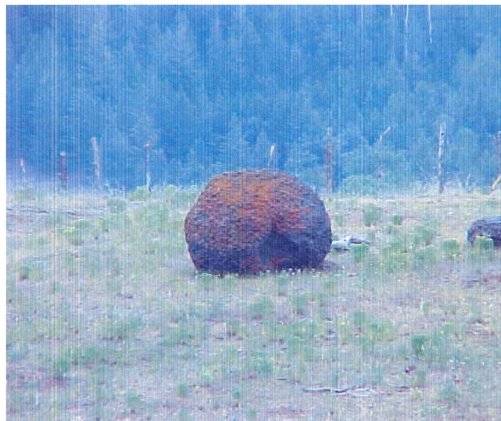
Hostah Butte, Crownpoint Area
Ak'i dah nást'ání



Antelope Lookout, Becenti, NM
Jádí hádét'íìh



Place of the Sun, Chuska Mountains
Jóhonaa'éei si'ání



Large Boulder, Chuska Mtns.
Tsé k'íneeshbízhii



Zuni Mountain
Náts'iin deelzha



Ram Mesa, Pinedale
Ma'íì daajizhí



Rock Pile Shrine, Chuska Mtns.
Asdzáá Nádleehí bitsé ninájihí



Rock Pile Shrine
Tsé ninájihi



Star Mountain
Sọ' silá



Natural Spring, Crystal, NM
Tó háálį



Lightning Struck Tree, Crystal
Tsin bí'oos'ni'



Little White Cone, Whiskey Creek
Séi heets'ózi chilí (male)



White Cone, Wheatfields, AZ
Séi heets'ózi (female)



Chuska Mountains, Łigai Diniláh
Male Mountain



Black Mesa, Dził yíjiin
Female Mountain

V. Navajo Ceremonial Sites

TCPs also include ceremonial sites (náádahaghaahgóó), which are significant not only because of their archaeological information but, more importantly, their Navajo traditional culture relevance. Ceremonial sites encompass the entire spectrum of TCPs. These are places where Navajo traditional ceremonies have taken place to cure people of mental, physical, and spiritual ailments. These ceremonial sites include places where ceremonies such as the Enemy Way (Anaa'jí), the Mountaintop Way (Dziłk'íjí), Nightway (Tł'éejí), and other Holy Way ceremonies (dóó diiyink'ehgo hataál ał'aan ádaat'éhígíí), and any other ceremonies were conducted. These places should be respected because prayers and sacred songs were performed there. Structures at ceremonial sites are used for ceremonial procedures, cooking for the ceremonial participants, and temporary residence. For example, at an Enemy Way site, there is a main ceremonial structure to the northeast and a cooking structure to the southwest. These TCPs are significant to local communities, families, and/or individuals and are continually used. The following are examples of Navajo Ceremonial sites.



Fire Dance Site
Ináshjingó azniisdaa' k'eh



Enemy Way site
Jinoodaa'k'eh



Night Way Site
Na'askaik'eh



Old Enemy Way Site
Jinoodaa' k'eh



Sweat Hogan
Táchééhk'eh

VI. Navajo Homesites

Homesites can be TCPs. A Navajo homesite is where the traditional Navajo Way of Life is taught for the well-being and survival of the Navajo People. In addition, Navajo homes are considered a prototype of Navajo land, signifying the six sacred mountains and the universe. Consequently, homesites encompass significant events and meaning for the individuals who once occupied these homes. Often a family has both a winter homesite and a summer homesite.

In many instances, homesites (honik'eh haz'á) are composed of a house (kin), a ceremonial hogan (hooghan nímazí), a ramada (chaha'oh), sweatlodge (táchééh), ash pile (łeeshch'ih nihe'níł), corrals (dibé/łíí' bighan), etc. Traditionally, when homes are constructed, precious stones are buried at specific places and the structure is blessed with cornmeal, corn pollen, mirage stone (hadahoniye'), and tobacco. In addition to the domestic space, homesites include corrals, fields, lookouts, water sources, and places where umbilical cords (awéé' bitséé') of Navajo infants are buried. Umbilical cords were buried so Navajo children would always know where their homes and their home responsibilities are. Other activities that are conducted within Navajo homesites are a baby's first laugh ceremony (awéé' ch'ídeeldlo'), puberty ceremonies (kinaaldá) for Navajo girls, marriage (iigeh), and where family members grow old, sábiih náhóót'i'. Furthermore, the Navajo kinship system (k'é) is taught within the home. Homes were traditionally passed down from mother to daughter, and when a daughter got married she

usually moved to a new house nearby. Homesites are significant to the individuals and families of the homesite.

Many times old homesites are avoided because someone may have died there. Or sometimes just one structure is no longer used, and a hole may be broken in the north wall, while the rest of the camp is still being used.

Very early homesites in Dinétah and other places are important for oral history and also to indicate where the Navajo people once lived (for example, for land claims issues). The following are examples of old Navajo homesites. Some of these sites are important to all Navajo people, to Navajo ceremonies (Diné binahagha'), Navajo clans (ádóone'é ídlíí). Navajo communities (bił kééhojit'ínígíí), and Navajo individuals (dóó diné ła' sízí dlinígíí).



Old homesite
Hooghank'eh



Old homesite
Hooghank'eh



Old homesite
Hooghank'eh



Old homesite
Hooghank'eh



Old sweat hogan
Táchééhk'eh



Old Ash Pile
Łeeshch'ih nihe'níł

VII. Archaeological Sites

Another category is archaeological sites. Archaeologists categorize these sites according to temporal period and location. Archaeologists judge the significance of these sites based on the information they might contain about past lifeways. Archaeological sites can include lithic scatters, rock alignments, Anaasází occupation sites, hearths, altered landscapes, and Navajo and other non-Navajo sites.

Some of these sites are considered TCPs by some Navajos. These TCPs could be old homesites (t'ááshiidáadii hooghahk'eh nahaz'á). where there are significant Navajo histories associated with the place. In addition, an Anaasází site may be associated with Navajo traditional histories, which may include ceremonial, clan, or general history that is important to the Navajo people. For example, White House Ruins in Canyon de Chelly (Kiní'na'ígai) has an associated ceremonial history.

The Navajo people have a strong affiliation with the Anaasází, the ancient people of the Southwest. Anaasází is the “Diné term for all ancient peoples who inhabited Diné customary lands, including all peoples whom archaeologists call ‘prehistoric’” (Navajo Nation 1996:2). The origins of Navajo people are as varied as are their clans. Each clan has their own story of how they became who they are and how they became Navajo people. Some Navajo clans have roots in the precolumbian Southwest and others throughout the western United States.

When various precolumbian groups left the places recognized today as archaeological sites, they migrated to various locations. At some point some of them joined up with Navajo ancestors and adopted a different way of life. This way of life evolved into the modern Navajo culture. The vast majority of the remaining Anaasází simply disappeared or evolved into other modern-day peoples. In more conservative versions of Navajo history, some Anaasází clans were destroyed. Many of the 60 or so Navajo clans have no associations with the Anaasází, and they must rely on other clans or on ceremonial stories to establish a relation with the Anaasází.

All precolumbian ruins play a vital role not only in Navajo history, but also in Navajo ceremony. While Anaasází sites may appear to be abandoned, and, in fact, many are mere piles of rubble, Navajo people view these places as living. The Anaasází are alive in some form, and to disturb them, such as to dig in their sites, or to talk badly of them, or to offend them in other ways can bring harm to the offender. Thus, certain Navajo ceremonies are charged with curing ailments caused by offending the Anaasází. Disturbing Navajo homes and graves brings the same results, and again, certain ceremonies and rituals are employed to treat the offender. Thus, Navajo tradition mandates that all unoccupied archaeological sites be treated with respect and

that they should ideally be left undisturbed. Navajo history cannot be separated from the history of precolumbian peoples; they are intertwined.

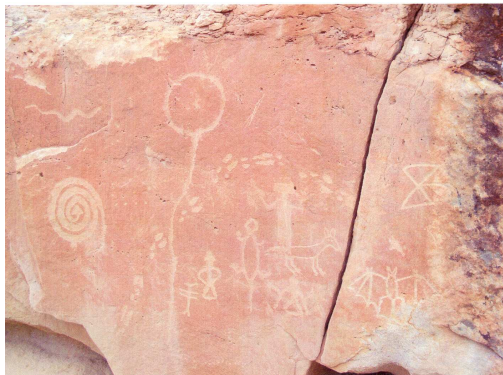
Most precolumbian sites can be sources of spiritual, sacred power. Offerings are made at these sites, and oral histories (of the people, of ceremonies, of clans) refer to these places at times when people were still living there. The following are examples of archaeological sites that are considered TCPs.



Navajo Structure
Hooghank'eh



Anaasázi Site
Anaasázi Bits'iil



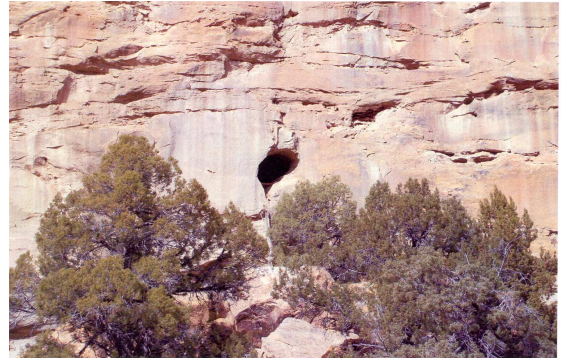
Dinétaḥ
Tsék'i na'ashch'aa'



Dinétaḥ
Tsé bee hooghan



Dinétah
Tsék'i na'ashch'aa'



Dinétah
Tséníí'



Anaasází site
Anaasází Bits'iil



Anaasází site
Anaasází Bits'iil



Sheep corral
Dibé bighan



Navajo Structure
Hooghank'eh

VIII. Gathering Places

The final category of TCPs represents areas where natural resources (wildlife, plants, minerals, etc.) were hunted, gathered, or collected for various reasons. These structures and places include game trapping corrals (niidzǫ́h) and eagle traps (ood). For example, niidzǫ́h were constructed to capture wild game by herding them into the corral, and the animals were then used for food and ceremonial practices. The animals were ritually butchered (dine'ee, níná daa'ah) and their hides were tanned (akágí daaldzééh). For example, deer were killed by suffocation rather than being shot with a weapon, a practice known as doo k'aak'eh. The tanned deer hide was used in various ceremonies. Eagle trapping sites (ood) are places where eagles were captured for ceremonial use. Both game corrals and eagle trapping areas are significant for the reason that wildlife and domestic animals should not be kept in the same place.

Plant/herb gathering areas are also traditionally significant places. Plant/herb (ch'il/azee') gathering areas are important for several reasons. For instance, ceremonial or medicinal plants grow within specific areas which need protection from disturbance. Plants are used in various ceremonies in the form of an emetic (iilkóóh) to heal a patient from an ailment. Some plants are used as offering paraphernalia (k'eet'áán) and others as hoops (tsibaas). Various parts of some plants are used as tools. For instance, wool dyes and weaving tools are created from various plants. There are many uses of plants; these are but a few.

Mineral gathering for ceremonial purposes (tsé nihokáá'góó dóó łeeyi'góó hólónígíí) is another important aspect significant to the Navajo. Mineral gathering may include collecting clay (dleesh) for cleaning wool or for ceremonial uses and gathering red ochre (chííh), which is used as paint and for other purposes in various ceremonies. Colored sandstone/sand (tsé yik'áán) is also collected for sandpainting. All these elements are used for curing Navajo people.

These areas are significant to individuals (diné lá'í sizínígíí), communities (bił kée hojit'ínígíí), medicine people (Diné nidahałáhígíí) and ceremonialists (hataalii).



Game trapping sites
Niidzǫ́h



Game trapping sites
Niidzǫ́h

IX. Determining Significance

According to federal (36CFR60.3) and Navajo Nation (CMY-19-88) law, a cultural property is significant if it (a) is associated with events that have made a significant contribution to the broad patterns of history, (b) is associated with the lives of persons significant in the past, (c) embodies the distinctive characteristics of a type, period, or method of construction, or possesses high artistic values, or (d) has yielded, or is likely to yield, information important in prehistory or history. In shorthand, we can say that places are significant if they are associated with important people, important events, important styles, and important information. Even traditional cultural properties are fitted into one or more of these four categories before they can be protected.

The following table is meant to be a guide to show how TCPs are determined under NHPA, Bulletin 38, ARPA guidelines.

Significant Places	NHPA	Bulletin 38	AIRFA	CRPA
6 Sacred Mountains	√	√	√	
4 Sacred Rivers	√	√	√	
Archaeological Sites: (Chaco, White House Ruins)	√	√	√	
Offering Places				
Linked to Navajo Origins/Holy People (k'eet'áán, retired jish, dolls)	√	√		
Linked to Personal/Family Events (kinaaldá, wedding)				√
Ceremonial Sites (Enemyway, Yé'iibicheii)		√		√
Navajo Homesites (Buried umbilical cord)			√	√
Gathering Places (plants, chíih, natural salt)		√		

X. Conclusion

The information in this text is to be used as a resource for Navajo people, contractors, researchers, and the general public who live in, work in, and visit the Navajo Nation. This pamphlet is a general guide to help people on the Navajo Nation identify, protect, and preserve Navajo Nation cultural resources. If you have any questions or comments please contact the Navajo Nation Historic Preservation Department at (928) 871-7198 or (928) 871-7148.

XI. References

Navajo Nation

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Appendix

NAVAJO NATION POLICY TO PROTECT TRADITIONAL CULTURAL PROPERTIES

Navajo Nation Historic Preservation Department
Window Rock, AZ

A. INTRODUCTION

As economic development proceeds in the Navajo Nation, a growing number of places of significance to the Navajo people may be damaged by the land disturbance that accompanies development. In June of 1990, the National Park Service issued *National Register Bulletin 38*, entitled "Guidelines for Evaluating and Documenting Traditional Cultural Properties." The bulletin defines a "traditional cultural property" as a property

that is eligible for inclusion in the National Register [of Historic Places] because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community.

Most traditional cultural properties significant to Navajo are of the type commonly called "sacred places." Others are locations of other traditional activities, such as homesites and places where weavers gather plants for dyes.

We use the term "traditional cultural property" in this document to make explicit that we are talking about the same kinds of places as does *Bulletin 38*, and because we have written this document mainly for cultural resource managers and related professionals. The term, however, offends many Navajo traditionalists. One reason is that, by containing the word "property," it suggests that such places can be treated as mere commodities, like real estate. Another reason is that the term seems like a long and lackluster euphemism for "sacred places," which corresponds more closely to the Navajo term for such places (hodiyyin). "Traditional cultural property" is, indeed, partly a euphemism intended to obscure the "religious" qualities that these places have for people who do not separate the sacred from the secular. Within the present federal legal framework for historic and cultural preservation, such obscurantism seems necessary to keep such places from being found ineligible for protection under federal preservation law because of the doctrine of separation of church and state. We would prefer that, instead of avoiding the term "sacred places," all concerned recognize that the root of what makes a place sacred is its association with aspects of the past that people connect with their present concerns of living. We apologize to traditionalists for perpetuating the use of the term "traditional cultural properties," which we find a practical necessity in certain contexts.

B. TRADITIONAL CULTURAL PROPERTIES COVERED BY THIS POLICY

This policy covers traditional cultural properties that lack the evidence of human use that qualify them as archaeological sites, historic properties, or graves. The main emphasis here is on traditional cultural properties significant to the Navajo people. The last section of this policy statement, in addition, addresses such properties significant to other Native American groups that may be located on lands of the Navajo Nation. This policy supersedes the “Draft Proposed Navajo Nation Policy to Protect Navajo Sacred Places” (1986).

Existing federal, state, and tribal laws and rules protect archaeological sites, historic properties, and graves. These laws and rules include the federal Antiquities Act of 1906 (P.L. 59-209); the National Historic Preservation Act (P.L. 89-665); the National Environmental Policy Act of 1969; Executive Order 11593, “Protection and Enhancement of the Cultural Environment,” May 13, 1971 (36 CFR. 8921); the Archaeological Resources Protection Act of 1978 (P.L. 95-96); the American Indian Religious Freedom Act of 1978 (P.L. 95-341); the Native American Graves Protection and Repatriation Act; New Mexico and Arizona laws protecting human remains on private lands; the Navajo Nation Policies and Procedures Concerning Protection of Cemeteries, Gravesites and Human Remains of 1986 (ACMA-39-86); and the Navajo Nation Cultural Resources Protection Act (CMY-19-88), which supersedes all previously existing Navajo Nation cultural resource preservation legislation.

Cultural resource surveys required by these laws and policies are very likely to detect sites with material evidence of human use (mainly archaeological sites) so that they can be protected. Certain types of Navajo traditional cultural properties are likely to have such evidence. These types include, but are not limited to, sites that may have been blessed, such as those with hogans, houses, sweathouses, game corrals (needzii’), eagle traps, and so forth; and other sites where ceremonies may have occurred (if evidence of such use, such as the remains of ceremonial structures, is visible); trail shrines; rock art; and both marked and unmarked graves.

Because traditional cultural properties are considered eligible for inclusion in the National Register, such properties are protected by Section 106 of the National Historic Preservation Act, even when they lack clear evidence of human use. Such places are not likely to be detected by conventional surveys, however, and no other way of detecting such places has been used systematically up to now. Navajo traditional cultural properties without clear evidence of human use include, but are not limited to, the following types: places for gathering plants for use in ceremonies and other traditional purposes; places for gathering minerals for ceremonial and other traditional uses; places for gathering contents of sacred bundles; places for gathering other materials for ceremonial and other traditional purposes; unmarked graves (which contain material *remains* but are not necessarily visible on the surface); prayer offering places; places associated with the origin stories of particular ceremonials; places associated with the general Navajo origin story; places associated with origin stories of particular ceremonials; places associated with the origin of a clan; places associated with the origin of a Navajo custom; places

identified as the home of a Holy Being such as Wind, Lightning, Big Snake; locations of echoes (Talking Rocks, which convey human words to the Holy People); natural discolorations of rocks which have supernatural power; places where an apparition or other supernatural event occurred; and places that have played a part in the life cycle rituals of individuals (such as the spot where a newborn's umbilical cord is placed). Many of these places are features of the natural landscape, such as mountains, hills, rock outcrops, springs, and individual trees.

This policy outlines procedures for identifying such places, for determining how concerned Navajo people think particular development projects will affect those places, and for learning about the protection measures that concerned Navajo people think should be used. This procedural outline is intended to be used along with *National Register Bulletin 38*, which offers general guidelines to document and evaluate such properties.

Traditional cultural properties covered by this policy statement may be on land under Tribal, BIA, other Federal (public land), and State jurisdiction. With landowner consent and cooperation, this policy statement will apply to private lands as well.

C. IDENTIFICATION OF TRADITIONAL CULTURAL PROPERTIES ON LANDS ADMINISTERED BY THE NAVAJO NATION OR THE BIA IN TRUST FOR NAVAJOS

To identify Navajo traditional cultural properties, the developer of a proposed project on tribally or BIA administered land must observe the following procedures:

1. The developer shall employ an archaeological contractor or consulting anthropologist who meets the professional standards of the Navajo Nation (or the land manager). That contractor or consultant shall conduct a cultural resources literature search that will include at least the following references for information on places of traditional cultural significance:

Parker, Patricia L., and Thomas F. King

1990 Guidelines for Evaluating and Documenting Traditional Cultural Properties. *National Register Bulletin 38*. U.S. Department of the Interior, National Park Service, Interagency Resources Division, Washington, D.C.

Van Valkenburgh, Richard F.

1974 Navajo Sacred Places, Clyde Kluckhohn, ed. In *Navajo Indians III*, pp. 9–199. Garland Publishing, New York.

1941 Dine Bikeyah. Manuscript. U.S. Department of the Interior, U.S. Indian Service, Navajo Agency, Window Rock, AZ.

The following, more recent books are also recommended:

Kelley, Klara B.

1994 *Navajo Sacred Places*. Bloomington: Indiana University Press.

Linford, Lawrence D.

- 2000 *Navajo Places: History, Legend, Landscape*. Salt Lake City: University of Utah Press.

Also the following, if the proposed project is in the Eastern Navajo Nation:

Carroll, Charles H.

- 1982 An Ethnographic Investigation of Sites and Locations of Cultural Significance to the Navajo People To Be Affected by PNM's Four Corners to Ambrosia to Pajarito 500 kV Transmission Project. Public Service Company of New Mexico, Albuquerque.
1983 The Ute Mountain Ethnographic Study. Public Service Company of New Mexico, Albuquerque.

Fransted, Dennis

- 1979 An Introduction to the Navajo Oral History of Anasazi Sites in the San Juan Basin Area. Navajo Aging Services, Fort Defiance, AZ.

Roessel, Robert, Jr.

- 1983 *Dinetah: Navajo History*. Rough Rock Demonstration School, Rough Rock, AZ.

York, Frederick F.

- 1981 An Ethnographic Study of the Public Service Company of New Mexico's Proposed New Town Site and Its Environs. Human Environmental Resource Services Corporation, Anthropological Series 1, Albuquerque.

York, Frederick F., and Joseph C. Winter.

- 1988 Report of an Ethnographic Study and Archeological Review of Proposed Coal Lease Tracts in Northwestern New Mexico. Office of Contract Archeology, University of New Mexico, Albuquerque.

In addition, the following background readings are strongly recommended:

Downer, Alan S.

- 1989 *Anthropology, Historic Preservation and the Navajo: A Case Study in Cultural Resource Management on Indian Lands*. Ph.D. Dissertation, Department of Anthropology, University of Missouri, Columbia.

Frisbie, Charlotte J.

- 1987 *Navajo Medicine Bundles or Jish: Acquisition, Transmission and Disposition in the Past and Present*. University of New Mexico Press, Albuquerque.

Gill, Sam D.

- 1981 *Sacred Words: A Study of Navajo Religion and Prayer*. Greenwood Press, Westport, Conn.

Kelley, Klara B.

- 1988 San Augustine Coal Area. In *Archaeological Investigations in West-Central New Mexico*, Vol. 2: Historic Cultural Resources.

Cultural Resources Series No. 4. U.S. Bureau of Land Management, New Mexico State Office, Santa Fe.

Kelley, Roger I., R. W. Lang and Harry Walters

1972 *Navajo Figurines Called Dolls*. Museum of Navajo Ceremonial Art, Santa Fe.

Kluckhohn, Clyde, and Leland C. Wyman

1940 *An Introduction to Navajo Chant Practice*. Memoirs of the American Anthropological Association 53.

Spencer, Katherine

1957 *Mythology and Values: An Analysis of Navajo Chantway Myths*. Memoirs of the American Folklore Society 48.

Wyman, Leland C.

1970 *Blessingway, With Three Versions of the Myth Recorded and Translated from the Navajo by Father Berard Haile, O.F.M.* University of Arizona Press, Tucson.

2. For all projects that encompass more than 1 acre, consultations with Navajo people are also required. (Projects of one acre or less primarily consist of single homesites, single-business site leases, and isolated utilities installations for single homesites or single business sites.) In addition, consultations with Navajo people are also required for projects of 1 acre or less in certain localities and natural settings with a high probability of having traditional cultural properties. If the developer or anthropological consultant is in doubt about the need for such consultations, they should contact NNHPD. The project developer must demonstrate that a qualified professional anthropologist made a good-faith effort to consult:
 - a. Present surface user(s): grazing-permit holder(s) (individuals whose consent for right-of-way has been sought by developer); any other residents in or within view of the proposed project area.
 - b. Chapter(s) within which the proposed project is located: chapter officers and/or delegate(s) to Navajo Nation Council; at the request of any of these individuals, the developer's consulting anthropologist will also make a presentation at a meeting of general chapter membership.
 - c. Other knowledgeable people recommended by the present surface user(s), chapter officials, and chapter members.
3. Documentation of the concerns of people consulted will normally take the form of a questionnaire or interview schedule administered by the developer's consulting anthropologist and his or her interpreter/field assistant, if any. Documentation of each consultation will normally include the following information (documentation shall include a detailed explanation as to why any of this information was not provided):

- a. source of information on traditional cultural properties: names of interviewer and interpreter, date and location of interview, language or interview;
- b. identification of each place by Navajo and English names (provide English translation of Navajo name if there is no English name) and USGS 1:24,000 or 1:62,500 scale map location;
- c. what type of place is it: description of its physical attributes or appearance and its traditional associations or functions (attributes that make it a traditional cultural property);
- d. what impacts, if any, the interviewee expects the proposed project to have on each place;
- e. what modification or redesign of the proposed project the interviewee recommends;
- f. if impacts cannot be avoided, what measures to mitigate adverse impacts the interviewee would recommend.

The Navajo Nation Historic Preservation Department Sacred and Traditional Places Documentation Form and guidelines for its use are appended to this policy statement and are recommended for this purpose.

Documentation of the concerns of general chapter resolution or other written form that chapter considers appropriate.

4. *Discoveries of Navajo traditional cultural properties during project development.* The procedures set forth above in this section are likely to identify significant Navajo traditional cultural properties before development. No feasible procedure, however, can guarantee the identification of all such properties. There is always the possibility that during project development someone may report that the project area contains a previously unidentified property. This situation is considered analogous to an archaeological “emergency discovery situation” in which the developer encounters previously unreported subsurface archaeological remains. As soon as the developer learns of the presence of a previously unreported traditional cultural property, the developer will cease operations and notify the NNHPD. Normally operations will not resume until the NNHPD has obtained, on its own or through the developer, information adequate to identify and evaluate the reported traditional cultural property and devise a plan for its subsequent treatment, and has notified the developer that operations may resume.

D. IDENTIFICATION OF NAVAJO TRADITIONAL CULTURAL PROPERTIES ON LANDS NOT ADMINISTERED BY THE NAVJAO NATION OR BIA IN TRUST FOR NAVAJOS

1. *In general.* If these lands are surrounded by or are near lands used by Navajos, the developer, through a consulting anthropologist who meets the professional requirements of the Navajo Nation and the land manager, must consult the neighboring Navajo chapters and any knowledgeable individuals recommended by the chapters and document those consultations according to guidelines set forth in the preceding section. If the lands are used by Navajos (for example, BLM-administered lands in the eastern part of Navajo country), the developer's consulting anthropologist must make a good-faith effort to consult these Navajo users according to the procedures in Section C above.
2. *Dinetah.* Dinetah is a special case involving land in eastern San Juan and western Rio Arriba and Sandoval counties, New Mexico, much of which is not now used by Navajos. It needs special consideration because it contains so many recorded (and therefore probably many unrecorded) Navajo archaeological sites, sacred places, and other traditional cultural properties; because parts of it are not near any Chapter area; and because so many of its traditional cultural properties are of potential concern to Navajos all over Navajoland. Most of this land is under BLM jurisdiction, and the BLM is required in accordance with the American Indian Religious Freedom Act and Section 106 of the National Historic Preservation Act (and its implementing regulations, 36 CFR Part 800) to consult with interested Native American communities about management of cultural resources to be affected by its decisions. The developer's consulting anthropologist therefore must make a good-faith effort to consult neighboring chapters, and any Navajo users, and document these consultations according to the guidelines set forth in Section C above. In addition, the developer's consulting anthropologist must consult with NNHPD.
3. *Discoveries of Navajo traditional cultural properties during project development.* Procedures set forth in Section C, Item 4 above will be applied here with the following modifications. The developer will normally notify the land manager as well as NNHPD, and the notification that the developer may continue operations will normally come from the land manager with NNHPD concurrence.

E. POSSIBLE TRADITIONAL CULTURAL PROPERTIES OF OTHER NATIVE AMERICAN GROUPS ON LAND ADMINISTERED BY THE NAVAJO NATION OR BIA IN TRUST FOR NAVAJOS

The NNHPD is committed to protecting traditional cultural properties of other Native American groups on lands under its jurisdiction, with the expectation that other tribes on whose lands Navajo traditional cultural properties are located will make a reciprocal commitment. Therefore, the developer of a proposed project is responsible for consulting with other Native American groups when such groups may have traditional cultural properties in the area affected by the developer's project. To determine which other groups, if any, are to be consulted, the developer's anthropological consultant normally will look at material showing the extent of the aboriginal land claims (and subsequent

land claims, if appropriate) before the Indian Claims Commission or U.S. Court of Claims made by those tribes nearest the part of Navajo land where the proposed project is to be located. The developer's consultant anthropologist will then make a good faith effort to consult any other groups in whose land claim(s) the proposed project area lies. NNHPD considers the land claims areas of other Native American groups to be the maximum areas within which traditional cultural properties of these groups may be identified. NNHPD does not believe that the land claims areas were necessarily used exclusively by these groups nor that they are covered by any particular types of property rights, use rights, etc. Nothing in this policy shall be construed as a concession by the Navajo Nation as to the validity of any claim of any other tribe concerning Navajo land. The Navajo Nation is attempting to foster cooperation between tribes on matters of general concern, such as traditional cultural properties, but this spirit of cooperation must not be misinterpreted as any sort of legally binding statement by the Navajo Nation.

The developer's anthropological consultant will be required to contact the appropriate tribal government and/or community representatives and proceed with identification efforts as directed by those entities. The developer's anthropological consultant should first contact NNHPD for referrals to appropriate contact people in the appropriate tribe or community.

INSTRUCTIONS FOR USING “NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT SACRED AND TRADITIONAL PLACES DOCUMENTS FORM”

This form is intended as a checklist of information required to document consultations with knowledgeable Navajo people about traditional cultural properties that may be impacted by a particular undertaking. It is not intended to be administered as a questionnaire, although the interviewer may use it that way. The form should be used to present information gained in each interview, with continuation sheets attached for items where the form does not provide enough space.

The interviewer will document each interview on a copy of the attached form. Interviewees are NOT to be asked to sign the form. For people contacted who refuse to be interviewed, the interviewer will fill out the top section of the form and indicate that the person refused to be interviewed. It is also important to make clear to the interviewee that he or she is under no obligation to be interviewed. If he or she refuses, however, any resources in the area may go unprotected since the people with the authority to protect them won't know about them. Also, during the interview, the interviewee may refuse to provide certain information such as the name or use of a particular medicinal plant. The interviewer should not press the person to reveal such information, but should note on the form that the person did not want to reveal it.

Because these inquiries are so sensitive, the staff of NNHPD will be available to help your staff get oriented to conducting these interviews. If you wish, they will meet with the members of your staff who may be conducting these interviews to go over the process and answer any questions. Please call (520) 871-6437 if you have any questions.

**NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT SACRED AND
TRADITIONAL PLACES DOCUMENTATION FORM**

Project Number/Name:

Project location:

Chapter(s)

Legal description (for large projects, give T, R, Secs only)

UTM coordinates (for small project areas, center point only)

Date of interview

Name(s) of interviewee(s)

Name of interviewer

Name of interpreter (if any)

Others present

Location of interview:

interviewee's home

project area

other (specify)

Was interview refused?

How was project area identified to interviewee?

Visit to area with interviewee

Map location (specify map)

Other method (specify)

2. Which of the following types of sacred/traditional places, if any, does the interviewee identify inside or immediately adjacent to the project area? (Attach continuation sheet with information if necessary)

None

Place for gathering plants for use in ceremonies (specify plant and ceremony if interviewee is willing to supply that information)

Place for gathering plants for other purposes (specify plants and purposes)

Place for gathering contents of sacred bundles (specify material gathered and type of bundle, for example, Dził leezh, Mountain Soil Bundle)

Place for gathering other materials for traditional purposes (specify materials and purposes)

Place where ceremony has been held (specify ceremony; also names of sponsors and dates, if possible)

Former homesite location (specify former residents and dates of use, if possible)

Former sweathouse location (specify former users and dates of use if possible)

Grave (specify name of deceased and relationship to interviewee, if possible; refer to Navajo Nation Policies and Procedures Concerning the Protection of Cemeteries, Gravesites, and Human Remains for additional documentation and treat as required by Tribal Law)

Prayer offering place (specify type of prayer ceremony associated with it, if any, and type of offering, if any)

Place associated with general Navajo origin (Emergence) story (indicate which part of the story the place is associated with)

Place associated with origin story of a ceremony (specify which ceremony and how the place figures in its origin story)

Place associated with origin or home of a clan (specify clan and indicate nature of its association with the place)

Place identified as home of a Holy Being such as Wind (Nilch'i), Lightning (Ii'ni), Big Snake (Tl'iistosoh) (specify which Holy Being; indicate any associated story)

Location of Talking Rocks (Tse Yalti' i-- rocks that convey human words to the Holy People)

Petroglyph, pictograph, or natural discoloration of rock that has some kind of power (specify)

Place associated with other traditional story (give story and indicate how place is associated with it)

Other sacred/traditional place (describe)

3. Indicate locations of all resources listed above on USGS map (or portion thereof) and attach copy to this form.
4. Does the interviewee consider the proposed development a threat to any of the above types of places?
/ / No
/ / Yes (specify nature of threat or perceived impact of proposed project on place)

5. If yes, what modification or redesign of the proposed project would the interviewee recommend so as not to threaten the place?

Avoidance (specify how close the redesigned project could come to place)

Alternative location (specify; attach USGS map showing location)

Other (specify)

6. Is there anyone else that the interviewee feels should be consulted (fill out a separate form for each of these interviewees, but list names and locations of homes here):